

---

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

---

HAROLD V. ROBINSON,

Plaintiff,

v.

THOMAS E. BRANDON, in his official  
capacity as Director of the Bureau of  
Alcohol, Tobacco, Firearms and Explosives,  
and JEFF SESSIONS, in his official capacity  
as Attorney General of the United States

Defendants.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Case No. 2:16-cv-150-DB-EJF

District Judge Dee Benson

Before the Court is the Report and Recommendation issued by United States Magistrate Judge Evelyn J. Furse on August 31, 2018, recommending that Defendants' Motion to Dismiss be granted. (Dkt. No. 48.) The parties were notified of their right to file objections to the Report and Recommendation within 14 days of service pursuant to 28 U.S.C. § 636 and Fed. R. Civ. P. 72. Plaintiff filed a timely Objection, arguing that he should again be permitted to amend his Complaint, and that the right to self-defense is protected by the Substantive Due Process Clause of the Fifth Amendment. (Dkt. No. 49.) Plaintiff raised the same arguments made in the Objection in the briefing and oral argument before Judge Furse prior to her issuance of the Report and Recommendation.

This court has completed a de novo review of all materials, including the record that was before the magistrate judge and the reasoning set forth in the Report and Recommendation. The

court has also considered the arguments set forth in the Objection. The analysis and conclusion of the magistrate judge are correct and the Report and Recommendation will be adopted.

IT IS HEREBY ORDERED that the Report and Recommendation is ADOPTED and Defendants' Motion to Dismiss is hereby GRANTED.

DATED this 28<sup>th</sup> day of September, 2018.

BY THE COURT:

A handwritten signature in black ink that reads "Dee Benson". The signature is written in a cursive, flowing style. The first name "Dee" is written with a large, stylized 'D' that loops around the 'e'. The last name "Benson" is written in a more standard cursive script.

---

Dee Benson  
United States District Judge